

Application No.:	09/726,822
Amendment dated:	September 21, 2007
Reply to the Office Action of:	March 21, 2007

### **REMARKS**

By the foregoing amendment, claims 1, 10, 21 and 23 have been amended. No new matter is being added. Claims 1, 3 and 6-28 are pending in the application. In view of the foregoing amendments and the remarks urged here, Applicant respectfully requests that the Examiner reconsider all outstanding rejections.

#### ***35 U.S.C. § 103 Rejections***

The Examiner has rejected claims 1, 3, 6, 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 20010011308 to Clark et al. ("Clark") in view of U.S. Patent No. 5,887,063 to Varadharajan et al. ("Varadharajan") and further in view of U.S. Patent No. 5,600,800 to Kikinis et al. ("Kikinis") and further in view of U.S. Patent No. 6,418,534 to Fogle ("Fogle"). The Examiner has rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Varadharajan and further in view of Kikinis and further in view of Fogle and further in view of U.S. Patent No. 6,157,825 to Frederick ("Frederick"). The Examiner has rejected claims 10-13 and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Varadharajan. The Examiner has rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Varadharajan and further in view of U.S. Patent No. 4,593,353 to Pickholtz ("Pickholtz"). The Examiner has rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Varadharajan and further in view of U.S. Patent No. 5,239,166 to Graves ("Graves"). The Examiner has rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Varadharajan and further in view of U.S. Patent No. 6,480,101 to Kelly et al. ("Kelly"). The Examiner has rejected claims 21-22 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Varadharajan and further in view of Kikinis. The Examiner has rejected claims 23, 25 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Kikinis. The Examiner has rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Kikinis and further in view of Varadharajan. The Examiner has rejected claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Clark in view of Kikinis and further in view of U.S. Patent No. 6,286,099 to Kramer ("Kramer").

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Applicant has amended claims 1, 10, 21 and 23 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, claim 1 has been amended to recite the step of “comparing at said communication interface device said identification authentication information with a list of authorized portable computer system identities corresponding to said system of data storage.” Claim 10 has been amended to recite “an identification authorizing component capable of determining if said unique identity is authorized for synchronization with said host system, said identification authorizing component corresponding to said host system, and for correspondingly enabling and disabling synchronization between said portable computer and said host system, wherein decryption of encrypted data from said portable computer device is enabled provided said unique identity is authorized and wherein said decryption is disabled if said unique identity is not authorized.” Claim 21 has been amended to recite “an identification authorizing component receiving input from said reading component and incorporated into the same one of said devices as said reading component, capable of determining if said unique identity is authorized for communication with said system of data storage, said identification authorizing component corresponding to said system of data storage, and synchronization and of correspondingly enabling and disabling synchronization between said portable computer and said system of data storage and communication.” Similarly, claim 23 has been amended to recite “a communication interface circuit coupled to said authentication device and for allowing direct communication between said portable electronic device and said host computer system provided said authentication device indicates a proper authentication of said identity reference with said host system, said communication interface circuit corresponding to said host system, and, otherwise, for disallowing communication between said portable electronic device and said host computer system, wherein decryption of encrypted data from said portable computer device is enabled provided said unique identity is authorized and wherein said decryption is disabled if said unique identity is not authorized.”

The present invention, as recited in independent claims 1, 10, 21 and 23 is directed to a method and system for preventing unauthorized transfer of data and synchronization between a portable computer system and a system of data storage such as a desktop computer system. A

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problem recognized by the embodiments of the present invention is preventing the unauthorized transfer of data and synchronization between an unauthorized portable computer system and a mass storage device. The prevention of synchronization of data where the inherent value of the data contained in the portable computer system, even above the value of the portable computer system, is the problem being solved. The present invention therefore contemplates a key or tagging information embedded in the portable computer system (or the desktop computer system) which uniquely identifies the portable computer system (or desktop computer system). By embedding the identification component within the portable computer system, the invention makes it harder for unauthorized personnel to change or alter the key or tag. Furthermore, the identification authorization is performed at the host computer system so that the authorization unit is more secure against unauthorized tampering of the authorization unit. Therefore, the system becomes more secure against unauthorized transfer of data.

By contrast, the Examiner's base reference, Clark, is directed to a method and system for synchronizing a handheld computer to a host computer system. Clark teaches a two level security system of a password and the serial number of the handheld computer system being passed to the host computer system prior to the start of data synchronization. However, there is no teaching or suggestion in Clark that the serial number is embedded into the handheld computer system and that an authorization is performed at the host computer system and is used for synchronization of the data from the handheld computer system. Nor does Clark suggest that the serial number is unique to the handheld computer system.

The shortcomings of the base reference are not overcome by Varadharajan. Varadharajan is directed to encryption and authentication of data transfer between a portable device and a host computer system. Applicants respectfully submit that the key taught by Varadharajan is part of public key encryption, and not a key as defined in the present invention. First, the key taught by Varadharajan changes to thwart decryption attempts. However, the present invention teaches a key which is unique to the portable computer system and does not change.

Similarly, Kikinis teaches a docking bay and synchronization between a handheld computer system and a host computer system. However, Kikinis teaches authentication between

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the handheld computer system and the host computer system utilizing a password. Clearly, a password is not a unique identifier embedded within the handheld computer system.

None of the other references cited by the Examiner teach a unique identifier embedded within the portable computer system. Therefore, Applicants respectfully submit that any possible combination of references does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Since a prima facie case of obviousness has not been set forth, Applicant respectfully submits that amended independent claims 1, 10, 21 and 23 are allowable over the cited references. Claims 3, 6-9, 11-20, 22 and 24-28, by their dependency on claims 1, 10, 21 and 23 respectively, are similarly allowable. Early notice to that effect is earnestly solicited.

### ***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.



Dated: September 21, 2007

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